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EXAMINER	
PHAM, CHRYSTINE	

ART UNIT	PAPER NUMBER
2192	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/972,076	JOHNSON ET AL.	
	Examiner	Art Unit	
	Chrystine Pham	2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 August 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-47,49-70 and 72-79* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-47,49-70 and 72-79* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the Amendments filed on August 10, 2006. Claims 1, 6, 8-9, 14, 16-18, 20-21, 24,26, 28-29, 32, 34, 45, 47, 49, 57, 68, 70 and 72 have been amended. Claims 48 and 71 had been canceled. Claims 1-47, 49-70, 72-79 are presented for examination.

Response to Arguments

2. Applicant's arguments filed August 10, 2006 have been fully considered but they are not persuasive.

Applicant essentially amended at least the independent claims to further clarify the previously claimed "user" (see paper with mail date 02/17/2006) as a "business end user". However, the "business end user" as currently claimed appears to be just a block function as seen from the outside which merely makes requests to the business server system and receives responses which does not require any interrelationships within the block function itself (i.e., business end user). As such, the claimed "business end user" does not distinguish itself from the "end user" of *Courts* as established in the previous Office Action. At most, the "business end user" as claimed, can be interpreted as an end user (i.e., a single end user computer) making requests and receiving responses from a enterprise (i.e., business) system.

3. In view of the foregoing discussion, rejection of claims under 35 U.S.C 103(a) is considered proper and maintained.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1, 2, 4-5, 8-9, 10, 12-13, 16-17, 34-38, 40-47, 49, 52, 57-61, 63-70, 72, 75 are rejected under 35 U.S.C. 103(a) as being unpatentable by Courts et al. (*Courts et al.,* US 6085220), in view of Harrison et al. (*Harrison et al.*, US 6741974 B1).

As per claim 1, *Courts et al.* teach an apparatus (e.g., see Abstract, *enterprise interaction hub 10* FIG.1 & associated text) and method (e.g., col.1:45-49) for integrating the design of and the use of an all-purpose decision service/server/engine that returns a real-time decision in ASP mode to an business end user/client (e.g., col.3:24-27 & 34-35, col.7:38-46, col.9:30-35), said method comprising:

- a business end user linking to a business client system using standard protocols over the Internet or virtual private network (e.g., see *DCOM* FIG.1; *business layer 16* FIG.1 & associated text) to a decision engine project design software that is resident on a first server system at a host site, and said business end user using said project design software to design a project incorporating any of or any combination of rules, models, and/or strategies (e.g., see *business logic* & *business object 20* FIG.1 & associated text);
- when said business end user is satisfied with said any of or any combination of rules, models, and/or strategies and completes the design of said project, passing control (e.g., see *integration layer 18* FIG.1 & associated text) to a code generator server at said host where said code generator server generates strategy service software code corresponding to said completed project for use in production in said ASP environment (e.g., col.2:62-67; see *Independent Software Vendor ISV space 28* FIG.1 & associated text);
- installing said strategy service software on a decision engine/server which is embeddable in a software application (e.g., see *presentation layer 14 & render object/engines 20* FIG.1, see *render engines 122* FIG.2 & associated text, see *Rengine.PBD 130 & application code PBDs 132* FIG.2B & associated text) for executing said rules/models (e.g., col.1:56-58, col.6:52-54);

- in production mode, a second business end user from said business application, sending at least one inquiry transaction over said Internet to a Web server at said host, which in turn delivers input data, representing said inquiry transaction in ASP mode to said decision server (e.g., see Abstract, see *interaction layer 12 & HTTP* FIG.1 & associated text, col.9:30-32; col.4:13-16);
- said decision server processing said input data according to said installed any of or any combination of rules, models (e.g., col.1:56-58, col.3:51-52) and creating corresponding output data/calculated results/actions (e.g., see *html generation* FIG.1 & associated text);
- said decision server returning said created output data to said Web server in XML format (e.g., col.4:13-16); and
- said Web server returning said output data to said second business end user (e.g., see Abstract, col.1:52-54).
- a transaction log of said automated real time decisions, said log accessible by a client (e.g., col. 4:39-40 & 47-48).

Courts et al. disclose wherein said project design software further comprises capability for inserting an experiment for testing a new strategy (e.g., col.4:7-9; col.5:10-13; *business layer 16, business objects 22* FIG.1 & associated text). However, *Courts et al.* do not expressly disclose said experiment as champion/challenger experiment. However, *Harrison et al.* disclose a project design software (see at least *software*

development, solutions, learning classifier-system col.1:25-60) comprises capability for inserting a champion/challenger experiment for testing a new strategy (see at least *learning classifier-system, rules, fitness* col.1:49-58; *genetic programming, single solution, learning classifier systems, multiple actions, knowledge base, optimum behavior, diverse rule base* col.2:4-20; *intelligent agents, rules, associated fitness, success measure* col.2:39-col.3:10; *FEHN, new rule, existing rule, effectiveness* col.3:45-50; *Engine 160, rules, survival of the fittest* col.7:20-36; *winning rule* col.11:60-67; *agent, previous best agent* col.26:35-46). It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to incorporate the teaching of *Harrison et al.* into that of *Courts et al.* for the inclusion of champion/challenger experiment for testing a new strategy. And the motivation for doing so would have been to enable automatic and continual optimization or online adaptation (i.e., improving performance) of the software to minimize down time and sub-optimal functioning while awaiting new software version and avoid the ongoing needs to understand the software, modify tests and integrate the modified software (see at least col.2:20-36; col.4:17-33).

As per claim 2, *Courts et al.* teach the method as applied to Claim 1, further comprising:

- using system integration (e.g., see *integration layer 18* FIG.1 & associated text) and consulting services (e.g., see *trend DB 36 & profile DB 38 & enterprise space 26* FIG.1 & associated text), said

consulting services for developing and refining rules, models, and strategies (e.g., col.1:61-col.2:4, col.3:3-8).

As per claim 4, *Courts et al.* teach the method as applied to Claim 1, wherein said decision server is linked to external data resources for extracting additional relevant data (e.g., see *profile DB 38 & enterprise space 26* FIG.1 & associated text).

As per claim 5, *Courts et al.* teach the method as applied to claim 1 wherein an ASP file running on a Web server passes input data to said decision server (e.g., col.3:18-24), said input data is in XML format (e.g., col.4:13-16).

As per claim 9, *Courts et al.* teach an apparatus for integrating the design of and the use of a decision service that returns a real-time decision in ASP mode to a business end user (see claim 1), said apparatus comprising:

- means for a business end user linking to a first computer system having project design software (e.g., see *business layer 16* FIG.1 & associated text) via the Internet or a virtual private network (e.g., see *DCOM* FIG.1) and using said project design software for designing any of or any combination of rules,models, and/or strategies (e.g., see *business logic* & *business object 20* FIG.1 & associated text);

- means for passing control (e.g., see *integration layer 18* FIG.1 & associated text) to a code generator server (e.g., see *Independent Software Vendor ISV space 28* FIG.1 & associated text) for generating code for use in production in said ASP environment (e.g., col.2:62-67);
- means for said code generator server generating strategy service software for installation on a decision server (e.g., see *presentation layer 14 & render object/engines 20* FIG.1, see *render engines 122* FIG.2 & associated text, see *Rengine.PBD 130 & application code PBDs 132* FIG.2B & associated text) for executing said rules/models (e.g., col.1:56-58, col.6:52-54);
- means for sending input data to said decision server via a Web server (e.g., see Abstract, see *interaction layer 12 & HTTP* FIG.1 & associated text, col.9:30-32), said input data for processing using said decision server;
- means for said decision server processing said input data according to said installed rules/models (e.g., col.1:56-58, col.3:51-52) and creating corresponding output data (e.g., see *html generation* FIG.1 & associated text);
- means for said decision server returning said created output data to said Web server in XML format (e.g., col.4:13-16); and
- means for said Web server returning said output data (e.g., see Abstract, col.1:52-54).

Courts et al. disclose wherein said project design software further comprises capability for inserting an experiment for testing a new strategy (e.g., col.4:7-9; col.5:10-13; *business layer 16, business objects 22* FIG.1 & associated text). However, *Courts et al.* do not expressly disclose said experiment as champion/challenger experiment. However, *Harrison et al.* disclose a project design software (see at least *software development, solutions, learning classifier-system* col.1:25-60) comprises capability for inserting a champion/challenger experiment for testing a new strategy (see at least *learning classifier-system, rules, fitness* col.1:49-58; *genetic programming, single solution, learning classifier systems, multiple actions, knowledge base, optimum behavior, diverse rule base* col.2:4-20; *intelligent agents, rules, associated fitness, success measure* col.2:39-col.3:10; *FEHN, new rule, existing rule, effectiveness* col.3:45-50; *Engine 160, rules, survival of the fittest* col.7:20-36; *winning rule* col.11:60-67; *agent, previous best agent* col.26:35-46). It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to incorporate the teaching of *Harrison et al.* into that of *Courts et al.* for the inclusion of champion/challenger experiment for testing a new strategy. And the motivation for doing so would have been to enable automatic and continual optimization or online adaptation (i.e., improving performance) of the software to minimize down time and sub-optimal functioning while awaiting new software version and avoid the ongoing needs to understand the software, modify tests and integrate the modified software (see at least col.2:20-36; col.4:17-33).

As per claims 8, 10, 12, and 13, 16, they recite limitations, which have been addressed in claims 1, 2, 4, and 5 respectively, therefore, are rejected for the same reasons as cited in claims 1, 2, 4, and 5.

As per claim 17, *Courts et al.* teach a method for assembling and delivering an all-purpose decision engine/server in ASP mode, said method comprising:

- defining input and output structures in XML format (e.g., see rejection of claim 5 above).
- importing analytical models (e.g., col.5:7-13, and col.5:50-56).
- adding rules, modifying decision actions (e.g., col.5:10-13), and general tweaking of said engine (e.g., see _business layer 16, business objects 22 FIG.1 & associated text).
- testing [rules within] said engine (e.g., col.4:7-9).
- fueling said engine with data from a variety of sources and said engine delivering decisions (see rejection of claim 4 above).

Courts et al. disclose wherein said project design software further comprises capability for inserting an experiment for testing a new strategy (e.g., col.4:7-9; col.5:10-13; *business layer 16, business objects 22* FIG.1 & associated text). However, *Courts et al.* do not expressly disclose said experiment as champion/challenger experiment. However, *Harrison et al.* disclose a project design software (see at least *software development, solutions, learning classifier-system* col.1:25-60) comprises capability for

inserting a champion/challenger experiment for testing a new strategy (see at least *learning classifier-system, rules, fitness* col.1:49-58; *genetic programming, single solution, learning classifier systems, multiple actions, knowledge base, optimum behavior, diverse rule base* col.2:4-20; *intelligent agents, rules, associated fitness, success measure* col.2:39-col.3:10; *FEHN, new rule, existing rule, effectiveness* col.3:45-50; *Engine 160, rules, survival of the fittest* col.7:20-36; *winning rule* col.11:60-67; *agent, previous best agent* col.26:35-46). It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to incorporate the teaching of *Harrison et al.* into that of *Courts et al.* for the inclusion of champion/challenger experiment for testing a new strategy. And the motivation for doing so would have been to enable automatic and continual optimization or online adaptation (i.e., improving performance) of the software to minimize down time and sub-optimal functioning while awaiting new software version and avoid the ongoing needs to understand the software, modify tests and integrate the modified software (see at least col.2:20-36; col.4:17-33).

As per claims 34-38, 40-47, 49, 52, 57-61, 63-72, 75 they recite limitations which have been addressed in claims 2, 4, 5, and 17, therefore, are rejected for the same reasons as cited in claims 2, 4, 5, and 17.

6. Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Courts et al.* and *Harrison et al.* as applied to claims 1 and 9 above, and further in view of Dodrill et al. (US 6490564), hereinafter, *Dodrill et al.*.

As per claim 3, *Courts et al.* teach the method as applied to claim 1 wherein software components are implemented using programming languages such as J++, PB, VB, Delphi, or C++ (e.g., *44* FIG.1 & associated text). *Courts et al.* do not expressly disclose generating code in C. However, *Dodrill et al.* discloses a method and apparatus (e.g., see *application server 66* FIG.3, 4 & associated text) for decision service returning a real-time decision (e.g., col.2:58-64) in ASP mode to an business end user (e.g., see *thin clients 42b & browser 56* FIG.4 & associated text, see Abstract, col.2:44-51) wherein the user input (e.g., see *300 & 302* FIG.9 & associated text) is sent to decision server via a Web server (e.g., see *Web Server 64* FIG. 4 & associated text) and processed by the decision server according to installed rules (e.g., col.5:46-50), and corresponding XML-formatted output data (e.g., see *dynamic HTML/XML pages 98* FIG.4 & associated text) is generated and returned from decision server to Web server to be transmitted to business end user. *Dodrill et al.* further discloses a method and apparatus as described above wherein applications/logic/functions/code (e.g., see *application 48* FIG.2 & associated text) are written in programming language C (e.g., col.2:58-60) and formatted in CGI (e.g., col.2:61-63). It would have been obvious to one of ordinary skill in the

pertinent art at the time the invention was made to substitute the programming languages disclosed in the teaching of *Courts et al.* with C to produce the expected result with reasonable success. And the motivation for doing so would have been the well-known characteristics/advantages associated with the C language, namely, small size (i.e., few built-in functions) which allows flexibility and power in programming and building/customizing the language for a specific application, portability (i.e., compiled on various computer systems), and capacity for implementing system software/low-level tasks such as transferring data and integrating system components, loading programs, and formatting text for display, etc.,.

As per claim 11, it recites limitations which have been addressed in claims 9 & 3, therefore, is rejected for the same reasons as cited in claims 9 & 3.

7. Claims 6-7, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Courts et al.* and *Harrison et al.* as applied to claims 1 and 9 above, and further in view of Humpleman et al. (US 6466971), hereinafter, *Humpleman et al.*.

As per claim 6, *Courts et al.* teaches the method as applied to claim 1. *Courts et al.* do not expressly disclose code generator server generating an XML schema for providing to a client system for collecting said input data and said code generator server generating an XML parser/builder for reading data

conforming to said XML schema. However, *Humpleman et al.* discloses a method and apparatus (e.g., see Abstract, FIG.14, 19 & associated text) for sending XML input data (e.g., see *commands/XML* FIG.14 & associated text, see *XML-RPC Action* FIG.19) from an business end user/client system (e.g., see *A* FIG. 14 & associated text, see *HN Device A: Controller Module* FIG.19 & associated text) to a decision server (e.g., see *S* FIG.14 & associated text, see *HN Device B: Controller Module* FIG.19 & associated text) via a web server (e.g., see *server 14* FIG.14 & associated text, see *HN Device Web Server 86* FIG.19 & associated text), said decision server processing the XML input data, generating XML-formatted response, web pages and returning to the client via said web server (e.g., see *HTML or XML* FIG.14, see *XML-RPC Response* FIG.19 & associated text). *Humpleman et al.* further discloses generating an XML schema for providing to the client system for collecting said input data and providing to Web server for use in error handling, or data validation (e.g., see *CALL.DTD & INTERFACE.DTD & Web Server Layer* FIG.18 & associated text, see *Device A XML Interface 72* FIG.19 & associated text) and generating an XML parser (e.g., see *XML Layer IN 70 & XML Layer OUT 68* FIG.18 & associated text, see *XML parser 74* FIG.19 & associated text) for reading data conforming to said XML schema. It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify *Courts et al.*'s teaching to include the teaching as set forth by *Humpleman et al.* to produce the expected result with reasonable success. And the motivation for doing so would have been that the

formatting of data into syntactically correct XML document(s) depends upon adhering to a predefined definition language describing the structure and set of constraints (i.e., XML schema) on which an XML documents shall be constructed from said data. Furthermore, XML parsers enable the processing and extracting of data in textual representation within XML tags and transforming them into specific-typed objects/data structure (e.g., C, C++, or Java objects) which can be retrieved for use by servers and software applications. Conventional XML parsers check XML documents being parsed for conformance to general XML rules. Most recent XML parsers, at the time the invention was made, are implemented with integrated support for XML schemas to further enable data validation.

As per claims 7, 14-15, they recite limitations which have been addressed in claims 1, 5, 6, therefore, are rejected for the same reasons as cited in claims 1, 5, 6.

8. Claims 18-19, 23-27, 31-33, 39, 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Courts et al.*, in view of *Harrison et al.* and further in view of Marullo et al. (*Marullo et al.,* US 6157940).

As per claim 18, *Courts et al.* teach a method and apparatus for an business end user to develop rules, models, and/or strategies, for generating real time decisions in ASP mode (see claim 1), said method comprising:

- using a proprietary custom predictive analytics for outputting a models file of resulting rules by taking historical data as input (e.g., see *trend DB 36, profile DEB 38, trend data collection 32, business layer 16* FIG.1 & associated text);
- providing a designer component, said designer component providing means for designing rules, models, and strategies by using a project design (see claim 1);
- storing said project design in a projects repository for future reference (e.g., see *project database 148* FIG.2B & associated text);
- generating production code for executing in production mode (e.g., see claim 3).

Courts et al. disclose wherein said project design software further comprises capability for inserting an experiment for testing a new strategy (e.g., col.4:7-9; col.5:10-13; *business layer 16, business objects 22* FIG.1 & associated text). However, *Courts et al.* do not expressly disclose said experiment as champion/challenger experiment. However, *Harrison et al.* disclose a project design software (see at least *software development, solutions, learning classifier-system* col.1:25-60) comprises capability for inserting a champion/challenger experiment for testing a new strategy (see at least *learning classifier-system, rules, fitness* col.1:49-58; *genetic programming, single*

solution, learning classifier systems, multiple actions, knowledge base, optimum behavior, diverse rule base col.2:4-20; *intelligent agents, rules, associated fitness, success measure* col.2:39-col.3:10; *FEHN, new rule, existing rule, effectiveness* col.3:45-50; *Engine 160, rules, survival of the fittest* col.7:20-36; *winning rule* col.11:60-67; *agent, previous best agent* col.26:35-46). It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to incorporate the teaching of *Harrison et al.* into that of *Courts et al.* for the inclusion of champion/challenger experiment for testing a new strategy. And the motivation for doing so would have been to enable automatic and continual optimization or online adaptation (i.e., improving performance) of the software to minimize down time and sub-optimal functioning while awaiting new software version and avoid the ongoing needs to understand the software, modify tests and integrate the modified software (see at least col.2:20-36; col.4:17-33).

Courts et al do not expressly disclose generating a runtime version of said project design for testing, said testing thereby validating and verifying said rules; stress testing said rules/models by inputting a significantly large number of transactions into a monitor and Web server; said Web server generating a bulk test report representing results of said stress testing; modifying said rules, models, and strategies, if necessary as a result of said stress testing. However, *Marullo et al.* disclose an apparatus (e.g., see FIG.2 & associated text, FIG.3 & associated text) and method of stress testing business/web-server applications or functional areas within vertical markets (e.g., see Abstract,

commercial on-line banking and shopping transactions col.1:30-31, see *banking application 12* FIG.1 & associated text, see *banking application* 32 FIG.2 & associated text), said apparatus and method comprising:

- generating a runtime version of said project design and marking said project (e.g.,col.32:29-31) for testing (e.g., see *genautoAPI 58* FIG.2 & associated text, col.2:31-37, col.4:2-6, col.7:4:9 & 12-17), said testing thereby validating and verifying said rules (e.g., see FIG.13A, 13B & associated text, col.1:5-10, col.2:14-15 & 18-31, col.3:54-55 & 60-65);
- stress testing said rules/models (e.g., col.3:38-43, col.4:40-47, col.6:1-6 & 51-62, see *webStrain 68* FIG.2 & associated text, see *352* FIG.18 & associated text, see FIG.16A-16C & associated text) by inputting a significantly large number of transactions into a monitor and Web server (e.g., see *web server 10* FIG.1 & associated text, col.1:43-47, see *genautoAPI 58* FIG.2 & associated text, see *106* FIG.15 & associated text);
- said stress testing tracking and storing in repository (e.g., see *user specified files 40* FIG.3 & associated text) statistics on specific rules/models by counting the number of times predetermined rules/models are used during said stress testing (e.g., see *116, 118* FIG.9A & associated text, col.2:65-col.3:6,);

- said Web server generating a bulk test report representing results of said stress testing (e.g., col.3:15-21, see *Reports 114* FIG.8 & associated text, see *360* FIG.18 & associated text);
- modifying said rules/models if necessary as a result of said stress (e.g., col.3:38-43, col.4:40-47, col.6:1-6 & 51-62, see *webStrain 68* FIG.2 & associated text, col.1:5-10, col.2:14-15 & 18-31, col.3:54-55 & 60-65);

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to incorporate the teaching of *Marullo et al.* into that of *Courts et al.* and *Harrison et al.* (hereinafter *CHM*) to include the steps of stress testing rules/models as disclosed by *Marullo et al.* which would produce the expected result with reasonable success. And the motivation for doing so would have been that the automation of stress testing business/web-server applications (i.e., project design), verification/validation of rules/models, and report generation ensures that all possibilities of data input/output and all permutations and combinations of transactions/APIs and business logic/rules associated therewith have been exhaustively traversed, and tested for correctness and reported in a consistent, and efficient manner [in comparison to manual testing/traversing of links in web applications which yields unreliable test results not mirroring what is to be expected in the actual environment in which the web server applications would be used].

As per claims 19, 23-27, 31-33, 39, 62, they recite limitations which have been addressed in claims 3, 18, therefore, are rejected for the same reasons as cited in claims 3, 18.

9. Claims 20, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over *CHM* as applied to claim 18 above and further in view of Ballantyne et al. (US 6687873), hereinafter, *Ballantyne et al.*.

As per claim 20, *CHM* teaches the method of claim 18. However *CHM* does not expressly disclose providing a model editor component for automatically converting said models file into an XML version of said rules, and importing said converted XML data into said designer component. However, *Ballantyne et al.* disclose a method (e.g., see abstract) and apparatus (e.g., see FIG.1 & associated text) of providing a model editor component (e.g., see *modeling engine 28, mapping engine 26, modeling/mapping GUI 30* FIG.1 & associated text) for automatically converting said rules/models file (e.g., see Abstract, see *legacy program applications 16* FIG.1 & associated text, see *36* FIG.2 & associated text) into an XML version of said rules/models (e.g., see *context table 22* FIG.1 & associated text, see *44* FIG.2 & associated text) and importing said converted XML data into said designer component (e.g., see *legacy system 12, writer engine 20* FIG.1 & associated text). It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to

incorporate the teaching of *Ballantyne et al.* into that of *CHM* to obtain a model editor component for automatically converting rules/models files in to XML format which are then imported to the designer component with reasonable success in producing the expected results. And the motivation for doing so would have been that automatic conversion of business rules/models into XML format eliminates the need to alter existing programming logic or business rules within legacy applications and further facilitates easy data transmission over the Internet, and between different applications, as well as direct display and manipulation of data via browser technology.

As per claim 28, it recites limitations, which have been addressed in claim 20, therefore, is rejected for the same reasons as cited in claim 20.

10. Claims 21, 29, 50, 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over *CHM* as applied to claim 18 above and further in view of Kendall et al. (US 2002/0138449), hereinafter, *Kendall et al.*.

As per claim 21, *CHM* teaches the method of claim 18. *CHM* does not expressly disclose said designer component further comprising providing designing software having graphical user interfaces for generating data, variables, rules, models, strategies, trees, and actions required in said project design. However, *Kendall et al.* disclose a method and apparatus (e.g., see

FIG.1 & associated text) for providing a designing software having graphical user interfaces (GUIs) for generating data, variables, business rules/models, trees, and actions required in a project design (i.e., a visual designer component for facilitating said configuring said decision engine) (e.g., see Abstract, see FIG.5,6,9 & associated text). *Kendall et al.* further discloses generating for the project design a workflow functional component (e.g., see FIG.7,8 & associated text) having expression sequences (e.g., see *policy number, address, city, caller name* FIG.10 & associated text), segmentation trees (e.g., see *Driver is named on policy, police have been notified, injuries as a result of accident* FIG.5 & associated text), workflow lists (e.g., see FIG.5,9,10 & associated text) for means for placing said sequences, trees, and lists in a hierarchical order (e.g., (e.g., see FIG.5,9,10 & associated text) wherein a root workflow list (e.g., see *lost type is accident* FIG.5 & associated text) providing a starting point for processing workflow at runtime, and any of said workflow lists is used as a result list at an exit point of segmentation tree of said segmentation trees (e.g., see *outcome* FIG.6 & associated text), and wherein end result nodes of said segmentation tree points to said workflow list (e.g., see FIG.5,9,10 & associated text). It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to incorporate the teaching of *Kendall et al.* into that of *CHM* to obtain a designing software having GUIs for generating data, variables, business rules/models, trees, and actions required in a project design. And the motivation for doing so would have been to enable the development and modification of

evolving business logic/rules/models/actions by ordinary administrators/end-users without any computer programming experience and graphical displays of business rules/models/actions in forms of workflow lists, segmentation trees, and expression sequences further enable fast and easy analysis and/or modification of said rules/models/actions.

As per claims 29, 50, 73, they recite limitations, which have been addressed in claims 1, and 18, 21, therefore, are rejected for the same reasons as cited in claims 1, 18, 21.

11. Claims 22, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over *CHM* as applied to claim 18 above and further in view of Bertrand et al. (US 6018732), hereinafter, *Bertrand et al.*.

As per claim 22, *CHM* teaches the method of claim 18, wherein rules are tested (see claim 17). *CHM* does not expressly disclose providing a test service whereby said rules are tested in runtime mode, said test service comprising a wrapper for a control panel and for an Excel testing program. However, *Bertrand et al.* disclose a method and apparatus for returning real-time decisions/scores/calculated results in ASP mode (e.g., see Abstract, see FIG.2 & associated text), which is applicable to functional areas of vertical markets (e.g., see *domain model* FIG.6 & associated text, see FIG.15, 16, 34, 75 & associated

text, see col.21:15-32), wherein rules are tested in runtime mode by a test service comprising a wrapper (e.g., see *presentation 210, activity 220* FIG.2 & associated text, see col.21:55-62, FIG.8 & associated text) for a control panel and for an Excel testing program (i.e., a model editor for validating and verifying content of rules/models) (e.g., see *simulation engine 270, simulation models 260* FIG.2 & associated text). *Bertrand et al* further disclose a model comprising an expert and decision (e.g., see Abstract) wherein the model predicts revenue (e.g., col.11:23-32) and scores (e.g., see *interest rate, balance* FIG.49 & associated text). It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to incorporate the teaching of *Bertrand et al.* into that of *CHM* to obtain runtime test service comprising a wrapper for a the control panel and for an Excel testing program. And the motivation for doing so would have been that the usage of Excel spreadsheets in the test service/program enables business logic/rules/functions to be collected, and simulated for testing purpose. Furthermore, Excel can be configured to enforce data constraints and perform numerical calculations on data stored therein.

As per claim 30, it recites limitations, which have been addressed in claim 22, therefore, is rejected for the same reasons as cited in claim 22.

12. Claims 51, 53-56, 74, 76-79 are rejected under 35 U.S.C. 103(a) as being unpatentable over *CHM* and *Kendall et al.* as applied to claim 50 above and further in view of *Humpleman et al.*.

As per claims 51, 53-56, 74, 76-79, they recite limitations, which have been addressed in claims 1, 6, 21, therefore, are rejected for the same reasons as cited in claims 1, 6, 21.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chrystine Pham whose telephone number is 571-272-3702. The examiner can normally be reached on Mon-Fri, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CP
October 30, 2006

TUAN DAM
SUPERVISORY PATENT EXAMINER